

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:19-00067

TRISTAN MONROE BALDWIN

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On January 14, 2022, the United States of America appeared by M. Ryan Blackwell, Assistant United States Attorney, and the defendant, Tristan Monroe Baldwin, appeared in person and by his counsel, Andrew J. Katz, Esq., for a hearing on a petition and amended petition, seeking revocation of supervised release, submitted by United States Probation Officer Mark Ruscello. The defendant commenced a thirty (30) month term of supervised release in this action on December 24, 2020, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on November 10, 2020.

The court heard the admissions and objections of the defendant, the evidence adduced by the parties, and the representations and arguments of counsel.

Pursuant to the court's findings of fact and conclusions of law as enumerated in open court on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) on February 8, 2021, the defendant entered a 6 to 12 month residential substance abuse treatment program at Recovery Point in Parkersburg, West Virginia, as ordered by the court, and left the program five days later on February 13, 2021, without completing the curriculum and without permission; and (2) on February 22, 2021, the defendant broke into and entered a Dollar General store on Sissonville Drive in Sissonville, West Virginia, and did thereby commit the state offense of breaking and entering; all as set forth in the petition and amended petition, and by the court's findings on the record of the hearing.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of

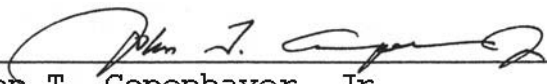
supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release was not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action, be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32.1(b)(2) and (c)(1) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583 (e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TEN (10) MONTHS, and a term of supervised release of TWENTY-TWO (22) MONTHS, upon the same terms and conditions as heretofore, except that the defendant's participation in a residential substance abuse treatment program is no longer a condition, but the defendant must participate in an outpatient drug treatment program one to three times per week as directed by the probation officer.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: January 24, 2022



John T. Copenhaver, Jr.
Senior United States District Judge